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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 08-4134 GAF (AJWx)	Date	July 17, 2008
Title	Arvanites v. Hartford Life and Accident Insurance Co.		

Present: The Honorable	GARY ALLEN FEES		
Michele Murray	None	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
None	None		

Proceedings: (In Chambers)

ORDER TO SHOW CAUSE RE: REMOVAL

On May 9, 2008, Plaintiff Linda Arvanites filed a complaint in Los Angeles County Superior Court alleging breach of contract and other claims against Defendant insurer for Defendant's alleged failure to pay Plaintiff insurance benefits she alleges that she was entitled to.

On June 23, 2008, Defendant removed the action on diversity grounds. (Docket No. 1.) However, because Defendant's present allegations are insufficient to invoke the Court's jurisdiction, Defendant is hereby **ORDERED TO SHOW CAUSE** why this case should not be remanded for lack of subject matter jurisdiction.

In order to remove a case from state court, the notice of removal must be filed within thirty (30) days of service of the complaint. See 28 U.S.C. § 1446(b). The complaint was filed on May 9, 2008 but it is unclear from the notice of removal when Defendant was served with the complaint. (See Not. of Removal, Ex. B [Notice and Acknowledgment of Receipt].) Defendant appears to have received the summons and complaint on May 19, 2008 but this too is unclear. (See id.) Based on the present record, the Court is unable to determine whether or not Defendant's notice of removal was timely. Accordingly, Defendant is **ORDERED TO SHOW CAUSE** by the close of business on **Friday, August 22, 2008**, why this case should not be remanded for lack of subject matter jurisdiction. The filing of an amended notice of removal adequately

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addressing the above concerns will satisfy this order.

IT IS SO ORDERED.